

## Article - Public Utilities

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§12–301.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Communication service” means the transmission of intelligence by electrical means.

(2) “Communication service” includes the transmission of intelligence by telephone lines, telegraph lines, messenger–call, police, fire alarm, and traffic control circuits and circuits used to transmit standard television or radio signals.

(c) “Conversion” means to convert an overhead electric or communication facility.

(d) “Convert” means to remove all or part of an existing overhead electric or communication facility and to replace it at the same or another location with an underground electric or communication facility.

(e) (1) “Electric or communication facility” means a works or improvement used or useful in providing electric service or communication service.

(2) “Electric or communication facility” includes poles, supports, tunnels, manholes, vaults, conduits, ducts, pipes, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

(3) “Electric or communication facility” does not include a facility that:

(i) uses or is intended to be used to transmit electricity at nominal voltages in excess of 35,000 volts; or

(ii) is owned, used by, or provided for a railroad or pipeline and located on or above the right–of–way of the railroad or pipeline.

(f) “Electric service” means the distribution of electricity for heat, light, or power.

(g) (1) “Public agency” means a county, municipal corporation, special district, or public corporation that provides electric service or communication service to the public by means of an electric or communication facility.

(2) “Public agency” does not include a county, municipal corporation, special district, or public corporation that conducts a proceeding for a conversion under this subtitle.

(h) “Public utility” means a person that provides electric or communication facilities.

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